



T.F.W.

## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: June 3, 2005

Name: Steven P. Shurtz

Signature: /Steven P. Shurtz/

BRINKS  
HOFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: James R. Maxwell et al.

Appln. No.: 10/604,927

Examiner: TBA

Filed: August 7, 2003

Art Unit: 1761

For: BREATH FRESHENING AND ORAL  
CLEANSING PRODUCT

Attorney Docket No: 1391/1599

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Submission of Power of Attorney (1 pg.); executed Power of Attorney with copy of Assignment attached (5 pgs.);
- ☒ Return Receipt Postcard

## Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

## Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

June 3, 2005

Date

/Steven P. Shurtz/

Steven P. Shurtz (Reg. No. 31,424)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: James R. Maxwell et al.

Appln. No.: 10/604,927

Filed: August 27, 2003

For: BREATH FRESHENING AND  
ORAL CLEANSING PRODUCT

Attorney Docket No: 1391-1599

Examiner: TBA

Art Unit: 1761

**SUBMISSION OF POWER OF ATTORNEY**

Applicants respectfully submit the enclosed executed Power of Attorney for the above-identified application. Please make this document of record in this application.

No fees are believed to be required for this submission. However, if any fees are required, relating to this submission, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925.

Respectfully submitted,

Dated: June 3, 2005

/Steven P. Shurtz/

Steven P. Shurtz

Registration No. 31,424

Attorney for Applicants

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
Tel. (312)321-4200



Inventors:

James R. Maxwell et al.

Title of Appl.: BREATH FRESHENING AND ORAL CLEANSING PRODUCT

**POWER OF ATTORNEY BY ASSIGNEE  
AND CORRESPONDENCE ADDRESS INDICATION**

The specification of the above-identified patent application:

- ☐ is attached hereto.  
☒ was filed on AUGUST 27, 2003 as U.S. application No. 10/604,927.

Wm. Wrigley Jr. Company, a company organized and existing under the laws of the State of Illinois, ("ASSIGNEE") certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

☒ An assignment from the inventor(s) of the patent application identified above, a copy of which is attached;  
OR

☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From \_\_\_\_\_ to \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
2. From \_\_\_\_\_ to \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy of which is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

ASSIGNEE hereby revokes all previously granted powers of attorney in the above identified patent application and appoints the Practitioners associated with the following Customer Number as its attorneys, with full power of substitution and revocation, to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent(s), to transact all business in the United States Patent and Trademark Office connected therewith, and to act on ASSIGNEE'S behalf before the competent International Authorities in connection with any and all international applications filed by ASSIGNEE:

**Customer No. 28455 - Wrigley, Dreyfus/BHGL**

Please recognize or change the correspondence address for this application to the address associated with the above-mentioned Customer Number. Please direct all telephonic and facsimile communications to:

Steven P. Shurtz, Reg. No. 31,424  
Tel.: 801-444-3933; Fax: 801-444-9210

The undersigned hereby authorizes the Practitioners associated with the above Customer Number to accept and follow instructions from Jack D. Nimz, Gordon N. McGrew or Robert J. Yotka as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the Practitioners and the undersigned. In the event of a change in the persons from whom instructions may be taken, the Practitioners will be so notified by the undersigned.

The undersigned (whose title is supplied below) is empowered to act on behalf of ASSIGNEE.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature

Name:

Jack D. Nimz

Title:

Senior Counsel, Intellectual Property

Date:

2/1/05

**ASSIGNMENT**

WHEREAS, James R. Maxwell, Michael Greenberg, Barbara Stawski and Kevin Broderick, hereinafter called the "Assignors", have made the invention described in the United States patent application entitled BREATH FRESHENING AND ORAL CLEANING PRODUCT, or a full description of which reference is here made to an application for Letters Patent of the United States filed on August 27, 2003, and assigned Application Serial No. 10/604,927, which claims priority to Provisional Patent Application Serial No. 60/319,497 filed August 27, 2003;

WHEREAS, Wm. Wrigley Jr. Company, a corporation organized and existing under the laws of the State of Delaware, having a place of business at 410 N. Michigan Avenue, Chicago, IL 60611, hereinafter called the "Assignee", desires to acquire the entire right, title and interest in and to the invention and the patent applications identified above, and all patents which may be obtained for said invention, as set forth below;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other valuable and legally sufficient consideration, the receipt of which by the Assignors from the Assignee is hereby acknowledged, the Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer to the Assignee, the entire right, title and interest for the United States in and to the invention and the patent applications identified above, and any patents that may issue for said invention in the United States; together with the entire right, title and interest in and to said invention and all patent applications and patents therefor in all countries foreign to the United States, including the full right to claim for any such application all benefits and priority rights under any applicable convention; together with the entire right, title and interest in and to all continuations, divisions, renewals and extensions of any of the patent applications and patents defined above; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for all such patents.

The Assignors hereby covenant and agree, for both the Assignors and the Assignors' legal representatives, that the Assignors will assist the Assignee in the prosecution of the patent application identified above; in the making and prosecution of any other patent

applications that the Assignee may elect to make covering the invention identified above; in vesting in the Assignee like exclusive title in and to all such other patent applications and patents; and in the prosecution of any interference which may arise involving said invention, or any such patent application or patent; and that the Assignors will execute and deliver to the Assignee any and all additional papers which may be requested by the Assignee to carry out the terms of this Assignment.

The Commissioner of Patents and Trademarks is hereby authorized and requested to issue patents to the Assignee in accordance with the terms of this Assignment.

IN TESTIMONY WHEREOF, the Assignors have executed this agreement.

DATED:

27 Dec 04

James R. Maxwell

JAMES R. MAXWELL

DATED:

January 4, 2005

Michael Greenberg

MICHAEL GREENBERG

DATED:

January 6, 2005

Barbara Stawski

BARBARA STAWSKI

DATED:

January 5, 2005

Kevin Broderick

KEVIN BRODERICK

DATED:

STATE OF Illinois )  
 ) ss.  
COUNTY OF Cook )

I, Kelly A. Greco, A Notary Public in and for the County and State aforesaid, do hereby certify that JAMES R. MAXWELL, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 27th day of December, 2004.



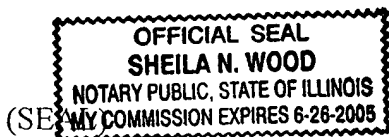
Kelly A. Greco  
Notary Public

My Commission Expires: 06/30/2008

STATE OF Illinois )  
 ) ss.  
COUNTY OF Cook )

I, SHEILA N. WOOD, A Notary Public in and for the County and State aforesaid, do hereby certify that MICHAEL GREENBERG, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 4th day of January, 2004.5



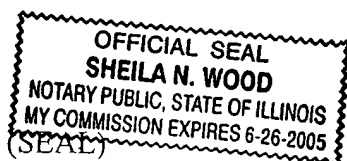
Sheila N. Wood  
Notary Public

My Commission Expires: 6-26-2005

STATE OF Illinois )  
COUNTY OF Cook ) ss.

I, SHEILA N. WOOD, A Notary Public in and for the County and State aforesaid, do hereby certify that BARBARA STAWSKI, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 6<sup>th</sup> day of January, 2004.5



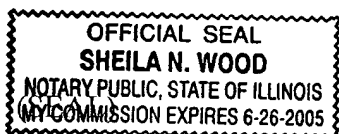
Sheila N. Wood  
Notary Public

My Commission Expires: 6-26-2005

STATE OF Illinois )  
COUNTY OF Cook ) ss.

I, SHEILA N. WOOD, A Notary Public in and for the County and State aforesaid, do hereby certify that KEVIN BRODERICK, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 5<sup>th</sup> day of January, 2004.5



Sheila N. Wood  
Notary Public

My Commission Expires: 6-26-2005